FINANCIAL AND COMMERCIAL. Mo DAY, Jan 23-6 P. M.

The stock market was moderately active, at a marked improvement upon Saturday's afternoon prices on the street this morning; but at the board the advance was not sustained. The closing quotations showed the following variations from those of Saturday's first board: New York Central declined 1, Eric 23, Hidson River 13, Michigan Central 24, Reading 5, Michigan Southern 35, Cleveland and Fitaburg 134, Chicago and Northwestern 34, preferred 34, Chicago and Rock Island 3, Fort Wayne 2)5, Ohio and Mississippi certificates 134. Cleveland and Toledo and Cumberland Coal were steady. Quicksilver advanced 1)%, Mariposa 3%. Government securities were heavy, in sympathy with

the general market and especially the decline of gold. Coupon five-twenties were ½ lower, ten-forties ½. The market closed heavy, and at the open board at one o'clock prices underwent a further fractional recession. At the second regular board increasing weakness was shown, and there was a revival of the semi-padic of the iast few days. The closing quotations showed a decline upon those of the morning as follows:—New York Central 2%, Eric 2, Hudson River 34, Readin 1 134, Michigan Central 14, Michigan Southern 2, Northwestern 2, Cleveland and Pittsburg 134, Rock Island 2, Fort Wayne 134, Mariposa 114, Quicksilver 114, Cumberland 14, Ohio and Mississippi certificates 14. Government securities were further depressed. Coupon

sixes of 1881 declined %, five twenties of the new issue

At the open board at half-past three the panic like Recording continued, and prices were still in the descend-ant. New York Central closed at 102, Eric 66%, Hudson River 98%, Reading 192%, Michigan Southern 60% a 61%, Cleveland & Pittsburg 81%, Rock Island 90%, Northwestern 30%, Fort Wayne 89%, Ohio and Missis-sippi certificates 27, Cumberhand 41%, Mar. posa 10%.

The gold market opened with an improved tendency, and at half-past ten it showed an advance of 5% upon the lowest quotations at the Evening Stock Exchange on Saturday. But early in the afternoon the market relapsed into its former weak and feverish condition. The

ven per cent, and the disposition of lenders to keep fested. Commercial paper is, therefore, not in demand, and 10 a 12 per cont is paid for first class names, although and 10 a 12 per cent is paid for first class names, although the minimum rate is 8. The statement of the associated banks for the week reflects the contraction consequent on the dictine of the gold premium. The loans have de-creased \$2,626,164, the deposits \$2,862,944, the specie \$1,146,039 and the circulation \$04,173.

Foreign exchange is dull at former rates—100% a 100% for bankers' sterling at sixty days, and 110% a 110% at three. Merchants' bills vary from 108 to 100. Currency quotalions are out of vegue, owing to the

Currency quotations are out of vogue, owing to the

constant fluctuations in the gold premium.

The course of the stock and gold markets during the past week has added so much to the strength of the on the Stock Exchange that they are confident of a considerable further decline, and, notwithstanding the already large outstanding "short" interest, securities are essed for sale with an avid ty highly stimulated by past cess. It is needless, however, to say that beyond a stain limit this effort to depress stocks is purely speculative. Railway and miscellaneous shares were as much too high last spring as they soon promise to be too low. Both the rise and the fall have been, to a great extent, unhealthy and fictitious. The Stock Exchange is now practically avenging itself upon the out-side public for not coming into the market to buy and upon each other so long that they found the process mutually exhausting, and gave up trying to sustain the nd heavy decline that has taken place are the holders Erie at 126 New York Central at 124, Hudson River at eading at 165, Michigan Central at 156, Michi gan Southern at 115, and other stocks in pro-portion, when gold was selling at 165 last April, now find themselves, with gold at 200, and their stocks, worth, in some cases, more than forty per cent less than they were then, without allowing for per cent less than they were then, without allowing for the increased depreciation of the currency, and thus the wealth of property holders of this class—and they are very extensively diffused among our capitalists small and large—has melted very rapidly away. Many of them bought, in the majority of instances, at high pricesing sold at low prices, and Wall street reass the

peculative brokers as the great rise did; and when hard pan" has been touched, the same men who are now precipitating the downfall of securi-ties will do their best to raise them up again. The more, however, stocks are thus made to sub-serve the interests of the stock board and the gang of professional stock jobbers the more distrustful the p are alkely to become of their permanent value, and the more the Stock Exchange will be left to mere speculators. Callway shares at present prices would be good invest-ments if they were only free from pernicious and dishonest speculative influences, and the public had confidence in them. But neither of these conditions being fulfilled, the market is left at the mercy of the hungry bears, who take delight in sacrificing the property of many to enrich Meanwhile, not a few of those who formerly consti-

tuted a counterpoise to the bear interest, are swindling or being swindled under the name of petroleum. It is safe to say that the great majority of new petroleum companies whose stock is now for sale in this and other markets, are deliberately concocted attempts at fraud, and we are sorry to see that they receive countenance from no small portion of the press, and that men, otherwise respectable, are associated with their management, while knowing them either to be worthless, or at the best, utter uncertainties. There are prominent men here, as else where, who do not scruple to lend their names as presidents and directors, for a consideration, to any thing of the kind that has the least approach to a plausible appearance, and the public are Chereby guiled into buying so many blanks under the same of petroleum shares. The more that people leave new petroleum companies of doubtful connection and the Stock Exchange alone, and confine themselves to legitimate business, the richer they will find themselves in she end, for speculation is, at the best, demoralizing, and professional knaves generally succeed in getting the best of the bargain.

The subscriptions to the seven-thirty loan received at the First National Bank to day amounted to \$347,000. The Treasury drafts were for \$400,000.

Mr. Morris Ketchum having resigned the presidency and directorship of the Fourth National Bank, Mr. Cal from has been appointed in his stead.

The following figures compare the last weekly statement of the New York Associated Banks with the returns of the previous week, and with the corresponding week

In 1864:-		1865			
Jan. 23 Loans\$162,925,5 Bpacie24,077, Circulation5,949,3 Deposits130,136,	189,686,750 513 21,357,008 507 3,074,029	Jan. 21. 187,060,586 20,211,569 2,979,851 146,068,355			
-The deviations from t		previous week			
Decrease in loans Decrease in specie	·····	\$1,626,164 1,145,489			

Decrease in circulation. 94,178
Decrease in deposits. 2,862,944
Among the new national banks authorized last week, was the Bank of Commerce of this city, with a capital of ten millions of dollars. It has heretofore been operating under the New York general banking law, and is there fore simply a conversion from a State to a national insti-tution. The banking capital of this city has not been increased by this change, but the circulating notes will probably be considerably augmented, as we see that the bank has already deposited in the United States Treasury \$3,560,000 in government bonds as a basis for the issue

of notes. Its circulation as a State bank was only \$1,700. Twenty new petroleum companies, representing an aggregate capital of twelve millions of dollars, sprang into existence last week. The figures now stand as follows :-

Capital, \$12,000,000 235,145,000 Total 357 \$247,145,000 The directors of the Philadelphia and Trenton Railroad Company have declared a semi-annual dividend of five per cent, clear of all taxes, out of the profits of the last

cix months, payable on and after Sist instant,

The panie which entered the stock market in this city the latter part of last week, it appears, attacked other lo- Irving ... rf. ... 1,097,096 58,215 80,703 1,285,419

calities, and caused considerable uneasines among speculators generally. We give a few extracts to show to what ext at the depression manifested itself. The Philadelphia Press of to-day eays:—

The stock market has not yet recovered from the sheek which the full of gold on Thursday and Eriday so sensibly produced upon prices. On Saturday we noticed a continuance of that feverish excitement which is often the foreguner of a general pante. Government loans only manifested anything like standiness, while rathroads and other securities were considerably unsettled. The continuals access of the army and many have begun to cause feeling of caution in regard to extentive operations of any kind; for the same elements that have brought about the sudden decline in the high premiums on gold, many, it is feared, produce a similar result in other case of inflation. This, though in a measure prospective, has caused increased circumspection on the part of many lenders, who have suddenly become rather more particular about hames, securities and margins, than they were in the earlier part of fast week.

The Choinnati Gusette of the 20th inst. contains the following:—

The Cincinnail Gazette of the 20th inst. contains the following:—

Everything, financially and commercially, was panicky to-day. Gold fell in New York, in the afterneon, to 210's, but the depression in prices of stocks and commodities exceeded this. The impression is gaining ground rapidly that the end of the recellion is not far distant, and in proportion as this feeling obtains, people look forward to a leveling of values. In regard to railroad stocks it seems strange, at first sight, that shares on which full dividends have been declared, and prices of which are already below par, should be crowded down still further; but operators understand that a stoppage of the war would knock the bottom out of railroad earnings, and that, for a time, at least, the business would relapse into the unfavorable condition experienced during the first year of the war. Take the war business off the railroads, and out of the markets, and there would be a vacuum which could only be filled by a readjustment of trade. Wighter expectations in regard to the duration of the rebellion are realized or not, the impression that we are near the end, was uppermost in New York to-day, and it was not the decline in gold so much as apprehensions that the time for sweeping levelling of values, such as must accompany the movement looking directly to peace, is approaching.

The following is from the Chicago Times of the 20th:—The present tenden y in commercial circles is decidedly unableky." Everything is going down with a rush and

The following is from the Chicago Times of the 20th:—
The present tendenty in commercial circles is decidedly "paniety." Everything is going down with a rush and bids fair to go lower, with a promised result far from pleasurable to speculators, whose success depends upon a continuous calcacement of values, or rather a further depreciation in currency. This deciline is very essay understood, arising in part from the operation of a heavy "short" interest in New York, but mainly to the very ravorable character presented by anilize in the field and Cabinet. The capture of the inlet to Wilmington was an effect not felt at once, but is one whose great impertance is gradually being felt as the news of the capture is being circulated dirough the South. In addition to this thermal is advancing in the direction of Charleston, and the allence with a provails over that quarter may be troken any day by the news of his arr val before that ety, or the conture of some of its important rativact contents.

ations in the Union.

The Chicago Tribune of the same date refers to the

Yesterday gold went tumbling down quicker than wes comfortable to holders of high priced produce, and a perfect panio took place in wheat, during which priced fell 14c. a 15c per bush: below Wednesday's ruling quotations. Provisions were so dull, and the sales so light, that a market was scarcely established, but prime mess pork was sold at a decline of \$1.50 a \$2 per barrel on former prices. The Boston Advertiser of to-day thus refers to the fee

The Boston Advertiser of to-day thus refers to the feeling in that city:—

There is more demand for money, which is less freely supplied, in consequence of the disturbed condition of affairs. The first class borrower, however, still finds ready accommodation on easy terms. Business continues unsattled by the decline in gold, and offers no feature of special interest. The stock market continues in a disordered condition, and shares are heavily pressed for sale. The list of dividend-paying shares shows variable quotations, but in most cases without any essential improvement, and in some lower prices were accepted. The speculative classes, with few exceptions, remain dull and heavy.

The County Court of St. Louis county has ordered the

issue of seven hundred thousand dollars of bonds to the Missouri Pacide Railroad Company, to aid in extending the track to Kansas City, where it is intended to meet a road from Leavenworth, Kansas. The directors of the Michigan Southern Rallroad are

taking steps to harmonize the claims of the guaranteed stockholders, who claim a large amount of arrears of dividends, say sixty per cent. It is proposed to give them thirty per cent, payable in some form in the common stock. A settlement of this character would give new value to the common shares, as it would set at rest

ture to confer additional gra	ints of land upon the Grand
Rapids and Indiana Railrogi	Makes and the State of the Stat
and the state and the state of the	The state of a little of latering of
Stock E	Tchange.
14500 IT S A'm 181 o 110	1500 she Eric ER 68%
11000 U.S. 6's 5-20 c. 108	2500 do 68%
60000 do 10734	500 dos15 68
11000 U S 6's, 5-20, c. 108 50000 do 10736 20000 donew ias 10736	100 do b30 60
20000 do . new iss 107% 30000 do . new iss 107%	50 do b60 69% 200 Erie RR pref 91
30000 do . new iss 10734	200 Erie KR prof 91
1000 U 8 6's, 10-40,c 101%	2500 Had River RR 100
1000 U S 5's, 10-40,c 101\(\frac{1}{4} \) 2000 US 5's, '74, con 104 10000 US 6's, 1 y cer. 97\(\frac{1}{2} \) 2000 do	200 do 100 ¼ 100 do 830 100
2000 do 071	700 Panding PP 10434
80000 O & M cer b30 28	700 Reading RR 10434 200 do 10434
20000 do 27%	200 do 104 % 650 do 105
10000 dob30 2734	550 do 105 100 Ill Central RR. s60 111 200 do s60 112
50000 do 27%	200 do s60 112
10000 00 2134	26 Mich Central RR. 106
2000 Hud Riv 2d mg 195 10000 NY Cen 6's 103	150 do 105
1000 KI Cell 6 8 103	100 do 10412
1000 C, B&Q 8's, 1stm 113 1000 Tol & Wa 2d m. 79	100 do 104 ¼ 100 do 105 ¼ 700 Mich8o&NInd RR 64 ¼
1000 Lac & W 1st m. 105	400 00 04
1000 Lac & W 1st m. 105 6000Pits,FW&Ch 1st 109	600 do 6334
1500DelLck&Wistm 112	900 do 63 4
20000 American gold. 201	200 do 60%
32 shs Meens Bk Ass 101	2500 do 63
5 Bk of Commerce 112 15 Fourth Natni Bk 99	47 Panama RR 200 500 Cleve & Pitts RR 83
50 do 100	500 do 8834
50 do 100 100 Del & Hud Ca. #30 150	500 do 860 82
50 Canton Company 31	200 dob10 8334
200 do 3034	200 dob10 83 1/2 2500 Chie & N W RR. 34 1/4
400 do 30	2000 do810 34
100 Cumb Coal pref 4234	
300 do 42%	11 Chi & NW prof. 64 1/2 150 do 63 %
300 do 4234 300 do 43	200 40 63%
100 dob30 43%	
50 QuicksilverMgCo 95%	900 do 6334
100 Mariposa Mg Co. 12	1000 Cleve & Tol RR. 108
300 do 1234 400 N Y Cen RRs. 330 105	400 do 810 107
400 N Y Cen RRs. 830 105	100 do830 107
350 do 106 300 do s5 106	500 do830 106%
350 do 35 106 350 do 106%	1000 Chi&RkIsldRR. 92 100 dob30 92
350 do 106%	100 do 9174
200 do 10634	
400 dos10 106	28 Chi, Bur&QvRR, 116
100 do #10 105%	200 Pitts, FW&ChRR. 91
500 do 810 105 14	300 do 91 %
100 do830 104 %	1100 do 9134
2000 Eric RR 68%	100 dob30 9134
	BOARD.
HA'	LF-PAST TWO O'CLOCK P. M.
45000 U S 6's, '81.cou 10934	800 shs Reading RR. 103%
\$5000 U S 6's, '81,cou 10934 3000US6's,5-20,c niss 10734	50 Michigan CentRR 10434
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1 200 shs Canton Co. 530 30	200 Ill Cent RR 810 110
200 Cumb Coal pref 425	

100	do#10		200 Pitte	FW&ChRR.	91
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	ie RR	6836	100	dob30	9134
2000 E				40	
0.00	81	COND	BOARD.		
		HALI	Marie There are the second	o o'CLOCK P.	
\$5000 T	3 6's, '81,cou	10934		Reading RR.	
	50's,5-20,c niss	10734		igan CentRR	
	do new ins	10734	600	do	103
10000		10734		S&N. IndRR	62
25000U	85's, 10-40, cou	100%		do.:	611
18000 T	86's,1 year cer	9734		do	
10000T	nts, 7 3-10, A&O	114	600	do	61
	hio & Miss cer	2614	1000 Chi	c & N W RR.	32
	American gold.	1983	1800	do	323
200 sh	Canton Co. b30			ent RR 10	
200 Cu	mb Coal pref	4236	300	do	110
100	dob15	42%	100	do 860	
10 Qu	icksilver Mg Co			& Plus RR.	813
200	do	94	200	do 810	
100 Ma	riposa Mg Co	1134	200	do	
300	do	11	400	do810	81
200	do			& N W pref.	613
	d, Bur & Qy RR		400	do	
100 N	Y Central RR.		700	do	613
200	do			& Tol RR. sac	
100	do	104	600	do	
300	do		200	do	
800 Er	ie RR			& Rk Isl RR	
100	do		300	do	
1000	do		200	do	
200	do		500	do	893
200	dob60	6736	100 Mil	&PrPu ChER	1 39
600	do	. 66%		A, FCW&CER.	
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DOM: THE	eading RR	. 104			

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Yew Ye	rk C	Itv	Ban	ks. Jan	nary 9	1, 1965.
Beer ly	201	Loc	Int.	Specie.	Circul'n.	Deposits.
America.		10.44	1.017	1,602,008	5,070	8,844,772
American	Des	0.49	2 208	1,600,756	20,403	6,431,758
Atlantic.			808,9	65,391	84,853	1,069,793
Bull's Her			9.727	22 187	119,849	978,686
Broadway					80.008	4,995,482
Butc's &	Driver's	2 21	7 790	107,076	94,310	1,585,894
Chemical.				1,611,045	24,897	5 732,865
Chatham.			0.012	108,597	7.644	1,698,768
City			633	831,483	1,000	4 727, 230
Commerc				746.140	1.705	6.311.603
			9,193	71,731	47,768	1.087.013
Citizens' .				297,604	108 203	2 474 897
Corn Exc			1,466	208,687	15,749	0 687 910
Continent			9,329	72,744	69,627	2,505,358
Commony			6,546			000,500
Dry Dock			1,722	41,002	21,805	220,410
East Rive			6,586	11,691	110,203	663,603
Fulton	*****		5,389	451,784	35,042	2,646,170
Grocera'.	******	1,07	0,200	24,450	4,273	988,019
Greenwich		10	9,261	71,267	15,004	1 705 848
To all districts		0 40	5 A78	915 604	74 461	1 700 BAR

Benkt Losse, a Sea,840 cather 3,863,840 cather 3,012,607 farine 4,715,615 farine 4,715,615 farine 4,000,874 farket 2,715,188 farket 6,005,003 forclants 6,005,003 forclants 4,855,223

Total.....\$187,060,586 20,211,569 2,979,851 146,068,355

Monday, Jan. 23—6 P. M.
Asnes.—Receipts 27 bbls. Market inactive, and prices whelly nominal.

Brandstupps.—Receipts, 5,283 bbls. flour, 120 bbls. and

CITY COMMERCIAL REPORT.

5,094 bags corn meal, 8,752 bushels corn, 975 do. Oats 700 do. malt, 250 do. ryc. The flour market, in sym pathy with nearly every other dommatcial interest, was excessively dull to-day, and what little business there was done was on the basis of a decline of about 10c. Sales 6,000 bbis. State and Western, 600 Southern and 5,000 Canada. In corn meal and rye flour the trade was

5,000 Canada. In corn meal and rye flour the trade was nearly at a stand. We quote:—

Suporfine State and Western flour.

\$9 30 a 9 50 Extra State.

9 50 a 9 70 Choice State.

9 50 a 9 70 Choice State.

9 50 a 19 70 Common to medium extra Western.

9 70 a 11 70 Extra round hop) Ohlo.

10 60 a 10 70 Western trade brands.

10 75 a 11 75 a 15 70 Common Southern.

10 70 a 11 75 a 15 70 Fancy and extra do.

11 75 a 14 40 0 5c lower. There was some little talk about a revival of the expert trade, but prices have not yet touched the shipping point. The only sales were 7,600 bushels amber

have declined somewhat, with sales of only 200 bales at the following figures:

Upland.

Upland.

Upland.

Vipland.

Ordinery.

**Ordine

rates.

Provinces—Receipts, 110 bbis, pork, 573 packages beef
1,613 do, cat meets, and 369 do, lard. Holders having
granted a concession, the market for pork has been more
active, both for parcels on the spot and for future delivery. The sales on the spot were 9,060 bbis, at \$36 a
\$36,62½ for old mess; \$37 75 a \$58 25 for new do.; \$52 a
\$32 50 for prime; also for future delivery 3,060 bbis,
old mess, buyer all this month at \$26 50; 1,000 bbis, new
mess action. see 50 for prime; also for future delivery 3,000 bold.
old mess, buyer all this month at \$26.50; 1,000 bbls. new
mess, soller February, at \$38 75 a \$30; 500 bbls. old
mess, seller February, at \$32 56 a \$30, and 1,500 bbls. new
mess, buyer March, at \$29 a \$80 50. Beef was scarcely
so firm and less active. Sales 400 bbls, at \$21 a
\$22 for plain mess, and \$21 a \$23 for extra do.
Tierce beef continues dull, and in the absence of sales
prices were wholly nominal. Of beef hans we notice
sales of 300 bbls. at \$27 for Western. In cut meats there
was a fair business done, but at rather easier rates; sales
500 packages at 19c, for sweet pickled hans, 193;c, for
rough sides, and 18c, for dry salied shoulders. Bacon
was quiet, but firm. The lard market was very quiet,
and prices were again lower; sales 1,200 bbls. and tetices
at 19c, a 22c, for No. 1, 22c, a 223;c, for fair to primo
steam and kettle rendered. Bettler was quiet at 36c, a
48c, for Western, and 46c, a 60; for State. Choese quiet
at 15c, a 25c, for common to prime.
Rice.—We note a sale of 80 bags Rangeon on private
terms, but supposed at 13c.
Sonar.—The market for raw ruled quiet; but there was
no material change to note in values. The only sales we
heard of were 400 bhls, at 20c, a 21ckc, for Cuba muscovade, and 20c, for Porto Rico. Refined was quiet, at
28;c, for hards.
Tallow was duil and lower, with sales of 14,000 pounds
at 15%c, a 16c.
Whetexy.—Receipts, 107 bbls. The market was scarce-

TALLOW was dull and lower, with sales of 14,000 pounds at 15 ½c. a 16c.
WHERE,—Receipts, 107 bbls. The market was scarcely so firm, and less active; rates of 200 bbls. Western at \$2.33 a \$2.34, closing with \$2.31 offered and \$2.33 asked.

Sale of Renl Estate.

By A. J. Bleecker, Son & Co.

The store and lot 182 Pearl street, between Pine street and Maiden lane, \$35,000. Torms cash.

THE LAZARUS HOMICIDE.

Trial of Bernard Friery for the Alleged Murder of Harry Lazarus-Another Me tion for a Postponement of the Case Denied-The Empannelling of the Jury Commenced-Four Jurors Obtained.

COURT OF GENERAL SESSIONS.

Before Judge Russel.

The court room was filled, but not inconveniently crowded, yesterday morning by jurers, witnesses, and a few interested spectators, the trial of Bernard Friery, indicted for the murder of Harry Lazarus, having been peremptorily set down for that day. The prisoner, who appeared quite composed, occupied a seat beside his counsel, Messrs. Smith, Sedgwick and Stewart. Messrs. Hall and Bedford conduct the prosecution. Considerable delay was occasioned by one of the counsel, who was preparing a lengthy affidavit upon which to move a postponement of the trial. The affidavit, when sworn to by the prisoner, was read, which set forth that at the time of the alleged homicide he was so intoxicated as

of the alleged homicide he was so intoxicated as to be unable to teil what transpired; that a young man named John Hayes was present at the time of the occurrence, who saw the whole affar, and without whose evidence he could not safely proceed to trial. Hayes went on a visit to his father at Cheinnatia a short time after the homicide, and his attendance could not be procured for two weeks.

The Court decided that the affidavit submitted was desective; that it did not come within the rule laid down in the case of the People vs. Vermilye, and that the case would have to proceed.

The counsel then read supplementary affidavits made by Frank Smith and Mathew Ward, both of whom testined that Hayes was present at the time of the difficulty. The thity Judge observed that the counsel had had sufficient time between the finding of the indictment and the adjournment of the case to have sent for Hayes, and they could now telegraph to him and procure his attendance before the trial was finished. The counsel insisted that Hayes' testimory was important for the prisaper, and urged a postponement of the trial, which his Honor refused to grant, and ordered the jury to be empannelled.

Mr. Sedgwick then interposed a general challenge to the array of jurors, on the ground that the statute provides that a new panel should be ordered and published every year.

The Judge overruled this objection, after which the

rides that a new panel should be ordered and published every year.

The Judge overruled this objection, after which the Clerk preceded to call the names of the jurors. Messar. Morrison and Sandford were appointed tiges.

The examination of the jurors as to their qualification to render an impartial verdict occupied several hours, the large majority of the gentlemen having read the case in the newspapers, and formed an opinion as to the guit or innocence of the accused. Three gentlemen were set aside in having expressed a strong prejudice against the fighting fraternity, while some were disquilided by reserved of entertaining conscientious scruples against hanging a man who might be convicted of marder. The Court

Hahn.

Judge Russel instructed the Clerk to order a panel of
three hundred jurors, returnable on Wednesday morning
at eleven o'clock, to which time the court adjourned.

MILLSPAUGH VS. ADAMS.

The Testimony on Both Sides Closed.

Some Awkward Disclosures About a Photograph.

THE INDIANA DIVORCE UP AGAIN. Ac.,

Supreme Court—Circuit. Before Judge Leonard.

FOURTH DAY. FOUNTH DAY.

JAN. 23.—Andrew J. Millepaugh es. Seth Adams.—
The testimony in this case was brought to a close to-day.

The proceedings were unusually interesting, and the crowd as numerous as ever.

Elizabeth Barton deposed that ahe formerly lived with Mr. and Mrs. Millspaugh, when they boarded at the Bond Street House; they lived together happily, and appeared to treat each other kindly; before they lived at the Hond Street House witness never knew of Milispaugh's having any liquor in his room, except on one occasion, when he ordered a dozen bottles of Scotch ale for Mrs. Millspaugh; when they were at the Bond Street House the liquor was brought up to his room whenever he had company; I

saw Mr. Adams in the room once or twice.

Cross-enamined—First went to live with Mr. and Mrs aw Mr. Adams in the room once or twice.

Cross-examined—First went to live with Mr. and Mrs. Millspaugh at Bergen, N. J.; from there we went to Mrs. Millspaugh at Bergen, N. J.; from there we went to Mrs. Millspaugh at mother's, in belaware county; we then came to New York, and stopped at the Bond Street House; from there we went to the country, and on our return wont to live in Lafayette place; when we lived at Dergen Mr. Halstead lived there also; he also boarded with us at Lafayette place; he visited Mrs. Millspaugh glasson on all those occasions; he was in the labit of coming into her room morning and evening; he usually went down to breakfast which her; Mr. Millspaugh was usually absent whom Mrs. Millspaugh were in the labit of going out tegether, and frequenting places of amusement; dd not know of Mr. Millspaugh were in the labit of going out tegether, and frequenting places of amusement; dd not know of Mr. Millspaugh were in the labit of going out tegether, and frequenting places of amusement; dd not know of Mr. Millspaugh were in the labit of going out tegether, and st the Bond Street House we used to get place; at Bergen we used to have respitery wine; krs. Millspaugh used to make it; in Lafayetie place we had Scutch ate, and at the Bond Street House we used to get liq ors from the bar; knew of no difficulty between Mr. and Mrs. Millspaugh is room in the evening; Mr. Rhedes, Mr. Jacob Halstead, Mr. Coffin and Mr. Field issed to vicit there.

Re d'rect.—Mrs. Abbett was a middle aged woman; she was in poor health for some time previous to her death. Mr. Henry S. Terbeil doposed that he was a director in the Equitable Life Insvance Company; the plaintiff had a policy for \$5,000 in the company for the benefit of his wife.

The policy, dated December 14, 1861, was then offered in evidence, and identified by the witness.

The policy, dated December 14, 1861, was then offered in evidence, and identified by the witness.

Robert J. Henter deposed that he was of the firm of Lathrop, Endington & Co.; knew Andrew J. Millspaugh; I have known him for twenty years; was brought up in the same part of the country; so far as I could see his habits were temperate; I have been thrown into his society a good deal; wa are members of the institution known as the "Sens of Crange and Sullivan," and have an annual dinner; never saw Millspaugh drunk at any of these gatherines.

Closs-oxamined—Have noon inligangle four or five times a year in connection with that institution; have had business relations with the plaintiff too, and often visited his store; never visited his rooms since his marriage; Mr. Millspaugh visited ine at my house once.

DETAYS MIRKELY WALL IN PUBLIC.

James L. Woodward deposed that he knew Mr. Millspaugh initiately for a quarter of a contury; as far as he could see his habits had been very correct; met the plantiff at the dimens and meetings of the Sons of Orange and Sullivan on twonty consions since 1861; herer saw him intoxicated on any of these occasions.

William Roberts, formerly in the employment of Terbell, Jennings & Co., deposed that he frequently saw Miss Missing and the store before her marriage with the plantiff.

Powhatan House; the hotel was kept by Blake & Roce; the superintendent's amore was Hutchinson.

Mr. Fullerton—I now propose to put in evidence a letter written by Mrs. Millspaugh to her husband.

Mr. Chinton—I would like to read the letter first.

Mr. Fullerton—You are at liberty to do so, and in the

Mr. Fullerton—I now propose to put in evidence a letter written by Mrs. Millspaugh to her husband. Mr. Fullerton—You are at liberty to do so, and in the meantime I will examine another writtees.

Mr. Fullerton—You are at liberty to do so, and in the meantime I will examine another writtees.

Matthew J. Boyles—I am a shipping clerk in the house of Torbell, Jennings & Co., inr. Millspaugh was in the habit of heing in the store the first in the merning and the last at night; i never saw him intoxicated during the time I was in his employ; I have been in the employment of Terbell, Jennings & Co. for the last twelve years, have seen Mr. Millspaugh is the store as late as ten and twelve o'clock at night.

Cross-examined—Mr. Millspaugh usually went home abot six or seven o'clock; was present on one occasion when Mr. Millspaugh left his son in my charge; lift. Millspaugh came into the place and asked to see the child; I allowed her to speak to the child; soon after Mr. Millspaugh came along and took the boy away from her. James Watson testified that he was a hosiory clerk in the employment of Terled], Jennings & Co.; jirs. Millspaugh was in the habit of visiting the store to see her husband, he was in the habit of visiting the store to see her husband, he was in the habit of visiting the store to see her husband, he was in the habit of visiting the store of see her husband, he was in the habit of visiting the store of see her husband in the whore we would send out for it.

Mr. Harren on Mrs. 250 AGABY.

Jacob Haisted recalled—Was in the habit of visiting Mr. and Mrs. Millspaugh, at longon, West Eleventh struct, Lafayotte place and Fourteenth struct, larget the hope was the wasted by Mr. a correrage, witness awa Millspaugh, and tide and will have a may be a store the see her control to by Mr. a correrage, witness awa Millspaugh, and tide dischalled him intokented. Q. What was the edge cloudsed by Mr. a correrage, witness away in the habit of visiting tribell, Jound and the plaintiff's mild.

Mr. Clinton objected to his

Mr. Fullerton—I want to prove conversations, your Henor, which may have an important bearing in this case.

Mr. Clinton—This refers to a period prior to 1860. Any declaration of Adams prior to that period must be irrelevant.

Witness—I don't mean to say I have known him six or seven years prior to 1860; I have known him six or seven years altogether.

Mr. Clinton—Never mind your explanations now; speak when you are spoken to. You are "bows" of your house, I presume; but you are not "boss" here.

Mr. Fullerton—Neither are you. The witness was only correcting her testimony, which she had a perfect right to do.

Judge Leonard—There, that will do. I will exclude the question.

Mr. Fullerton—What, if anything, did you hear Seth Adams say with regard to Mr. Millspaugh'

Mr. Clinton objected to the question.

Judge Leonard—What is this with feepect tof

Mr. Fullerton—What is this with feepect tof

Mr. Fullerton—What has a pustion.

Judge Leonard—The witness may anywer the question.

Witness—I herer heard him may anything except than

he had drank him drunk on two or three occasions, had put him to bed.

Q. Where was it that he said thim hr. Clinton—Objected to.
Judge Leonard—I don't think the location is of

Mr. Fullerton—This is meant for tragic circt, I suppose.

Mr. Clinton—I object to the gentleman's having any improper intimacy with the witness. (Referring to a conversation which the witness was holding with Mr. Fullerton in a whisper.) (Loud laughter.)

Judge Leonard—I think the gentleman's remark was quite unnecessary and uncalled for.

Margaret Beimont deposed that she resided at 52 West Houston street.

Q. Do you know Seth Adams? A. I have known him.

Margaret Remonst deposit that the test of the Houston street.
Q. Do you know Seth Adams? A. I have known him.
Q. For how long? A. Five or six years. Q. Did you ever see him with the likeness of a lady in his possession?
Mr. Clinton—Objected to, on the ground of its irrele-

ever see him with the likeness of a may in his possession?

Mr. Chinton—Objected to, on the ground of its irrelevancy.

Judge Leonard—It may, and it may not be. The witness may answer the question.

Witness—I did. Q. In what form was it? A. It was a carte de wisite of a lady dressed in white, with curly hair.

Q. Fid you learn from him who the lady was?

Mr. Chinton—Objected to, on the ground of its irrelevancy.

Mr. Fullerton—I will withdraw the question for the present. Do you see the original of the likeness in court. A. To the best of my knowledge she sits in front of met pointing at Mrs. Millspaugh, with the pink flower in her hat. Q. How often did you see it? A. Once. Q. Where was this? A. At No. 73 Mercer street. Q. To whom was he showing it?

Mr. Fullerton—I hope net. We want to show how much this man really thought of Mrs. Millspaugh. They will probably claim that he loved her very much. I want to show that he did not.

The Court granted the motion to strike out. Q. Who was present when the likeness was exhibited? (Question objected to and excluded.) Q. When was it? (Objected to and excluded.) Q. When was it? (Objected to and excluded.) What is the theory of the defence in this case? Why, that there was no attachment existing between 'Ir, and Mrs. Millspaugh, and that therefore Mrs. Millspaugh was the legitimate pray of Adams, That he formed an intradiment for her which was reciprocal d, and that he kindly took her to Indiana, and there got her a diverce. The courses on the other side, in his opening, angend that there was a lasting attachment between thom, and said Adams, who had a rich father, never would have laid his all at her feet unless his heart was involved loved to show these facts.

Judge Leonard—We won't try the issue in this case upon any statements that counsel may make. It is not in evidence that Scib Adams had any affection for Mrs. Millspaugh. I will have to exclude all these questions.

to be allowed to show these facts.

Judge Leonard—We won't try the issue in this case upon any statements that counsel may make. It is not in evidence that Seib Adams had any affection for Mrs. Millspaugh. I will have to exclude all these questions. Mr. Fellerton—I want to show by his admissions that defendant intended to seduce this woman as far back as 1860, and what he said in relation to her in this house. Mr. Clinton—There is no allegation of the kind in the pleadings.

Sarah Reading deposed that ahe had been the house-keeper at the Bond Street House for twenty years; was now living at Fort Washington; was at the Bond Street House when Mr. and Mrs. Millspaugh lived there; also when Mr. Adams boarded there; I never saw Mr. Killspaugh drunk except once, when he got drunk with Adams, and they were both taken to the station house; I think they sot drunk in Mr. Millspaugh's room; so far as I observed, I thought Mr. Millspaugh's room; so far as I observed, I thought Mr. Millspaugh a very good, affectionate housband, under the circumstances, Q. What circumstances? A. While she was firting with Adams.

Cross-examined—I knew of Mr. Halstend being at the Bond Street House; I knew that he and Mrs. Millspaugh say that he wished she would come up stairs to be own room, and hear Millspaugh say that he wished she would come up stairs to be own room, and hear Millspaugh say that he wished she would come up stairs to be own room, and hear Millspaugh say that he wished she would come up stairs to be own room, and hear Millspaugh say that he wished she would come up stairs to be own room, and hear Millspaugh say that he wished she would come up stairs to be own room, and hear Millspaugh say that he wished she would come up stairs to be own room, and hear Millspaugh say that he wished she would come up stairs to be own room, and hear Millspaugh say that he wished she would come up stairs to be own room, and hear Millspaugh say that he wished she would come up stairs to be own room, and hear Millspaugh say that he

that I recollect, sithough he had good reason to. (Laughtor.)

Seth Adams recalled —Q. I understood you to say that you were in Fort Wayne in October, 1862? A. Yes. Q. Were you in court?

Mr. Clinton—I object to the question.

Judge Leonard—The witness may answer.

Winess—It depends upon what constitutes a court.

Q. Were you in what you thought constituted a court?

A. I do not think it was. Q. Were you not before an officer of the court? A. I believe I was. Q. Were you before a referce? A. I was. Q. Did you testify as a witness?

before a referee? A. I was. Q. Did you testify as a witness?

Air. Clinton—What is the object of this?

Mr. F. Herton—I want to attack the decree.

Mr. Chinton—You can't do that; you are governed ensirely by the record upon its face.

Mr. Chinton—You can't do that; you are governed ensirely by the record upon its face.

Witness—I don't know that I testified to anything; I was asked? A. In the hotel. Q. In what part? A. In the siting room. Q. Who called you as a witness?

Mr. Clinton—I object.

Mr. Fullerton—You were a witness in the case of Mary Millspanish vs. Angrew J. Millspanish to the relation of the ludiana divorce case? A. As a sween witness do you mean; as the case stands I am unable to say. Q. Did you give evidence in that case? A. That depends upon whether I was a witness or not; I have not the slightest objection, why don't you answer my question—did you give any evidence in this divorce case? A. I gave no sworn testimony. Q. Did you give any evidence in this

jection, why don't you answer my question—did you give any evidence in this divorce case? A. I gave no sworn testimony. Q. Did you give any evidence in this divorce case?

Mr. Clinton—He has answered the question.

Judge Leonard—He is entitled to examine the witness the best way he can. This is not an ordinary witness.

Mr. Clinton—The point I ra'se is this, that your Honor ought to instruct the witness as to what constitutes legal testimony.

Judge Leonard—The witness ought to know the meaning of the question. I cannot instruct him.

Mr. Fullerton repeated the question three times, but wishout any different result.

Witness—I made some statements, but I don't recollect giving any sworn evidence; as I understand myself, I think I have the right to say I did not give any swora testimony. Q. Do you say you did not? A. I think I did not. Q. Don't you know whether you did or not? A. No; I know what I said, bat I don't know whether it was evidence or not. Q. Became it was not sworn to? A. Yes. Q. Did you give any unsworn testimony? A. I answered the questions put to me by the referce. Q. Was no osth administered? A. I think there was not; in fact, I would almost swear there was not, Q. Are you sure there was not. A. None that I know of. Q. Don't you know there was not. A. I will not swear positively there was not. Q. Was there any other witness called except you? A. None that I know of. Q. Don't you know there was not. A. None that I know of. Q. Don't you know there was not. A. None that I know of. Q. Don't you know there was not. A. None that I know of. Q. Don't you know there was not. A. None that I know of. Q. Don't you know there was not. A. None that I know of. Q. Don't you know there was not. A. West there are not not nake, which ought to be decided before we proceed to sum up. I claim that this divorce is absolutely and unqualifiedly void, and that this decree can be used in no other way on this trial except in mitigation or aggravation of damages. I therefore move that it be stricken out as evidence of any m

SHIPPING NEWS.

Movements of Ocean Steamers. Mails are forwarded by every steamer in the regular he steamers for or from Liverpool call at Queenslow ept the Canadian line, which call at Londonderry teamers for or from the Continent call at Southampte



SUN RISES 7 15 MOON RISES MOFE 4 33
BUN RISES 7 15 MOON RISES MOFE 4 33
BUN RISES 6 95 Port of New York, January 23, 1865. CLEARED.

CLEARED.

Steamship Ocean Queen, Weir, Aspinwali—D B Allen,
Steamship Montesuma (Br), Hamshaw, Kingston, Ja—
Howland & Aspinwall.
Ship Wild Figson (Br), Mayhew, Valparaiso—Fabbri &
Chaunesy.
Rark Ocean Steed (Br), Flynn, Malaga—Tupper & Beattle,
Bark Orusoe (Br), Wood, Buenos Ayres—Urocker, Wood Hark Mary & Purdy (Br), Lowe, Matarzoros-Miller & Houghton. Bark Helen Augusta (Br), Cutts, Port au Prince—R Mur-Bark Helen Augusta (Br), Cutts, Port an Prizeco-k murry fr.
Bark Lavinia, Davis, Zara-Brett, Son & Co.
Bark La Plats, Crowell, Fortress Menro-Van Brunt &
Stupht Briston, Crowell, Buckman, Gothenburg-Funch,
Brig Riempore (Swedish), Buckman, Gothenburg-Funch,
Brig Martoalibe (Br), Scandell, Maracalbo and LaguayraBrig Onda (Br), Morgan, Aranham and Para-H K Corning, Son & Co.
Brig Cortus (Br), Tujo, Demarara-F W Whitney & Co.

Brig T H A Pili (Br), Prudden, Bermuda-Middleton Brig Kata Rowers, Yeston, Boston-Holyoke & Murra Schr Margard Bill (Br), Sjenore, 31 Doningo City-C A Dewolf.

Schr Aggie Davidson (Br), Cole, Nassau-C H Trumb Schr Paraxon, Pintard, Hallimore-Mort Bode II. Sleop R Wiltze, Borden, Briggsport-M Briggs & Co. ARRIVED.

Eteamship Ariel (U Strausport), Jones, Savannah, J Laishad, Gall S Ountream Age.

Duryes & Hyde.

SAILED.

22d—Steamers Star of the South, F Hull, Neptune, and Nereus.

23d—Steamers Ocean Queen, Monteguns, Dudleg Buck; schrs Honest Abe, Greenland, H N Farnham, O Bearse. Wind at sunset N, light.

Miscellancons.

Bransuir Monno Carria, Capt Adams, will sall to morrow, Wednesday, at 2 PM, for Havana direct. Capt Adams, on his last trip from Havans with his fine ship, made the shortest run yet accomplished between the two ports.

Baux Annow Lincola.—The schr Independence. Daggett, arrived at Holmer Hole from Nashawana with 38 bills meases from the AL. She is full of water, and the weckers can only work on the sample at low water. Should the weather continue moderate the largest part of her remaining cargo will be saved.

Bana Managaran (Ret. subcreto the Managaran was sold 1908.

cargo will be saved.

Baid Mangaryan (Br), ashore on Montauk, was sold 19th inst, as ahe lies, including cargo, Ac, for \$57. She was puschased by H M Gregory, Janes E Smith, C H Vaughn and E B Merrall. The vessel remains tight and may be got off.

Brig Farries—Provincetown, Jan 22—Brig Farrie is all discharged. The cargo between deels was la fair condition, but that in the hold bodily dumaged. Vessel a total wrock.

that is the hold badly damaged. Yessel a total wreck.

Some Bruw Brill. (of Kingston), Clark, from Cuba for Boston, via Holmen' Holo 14th, was blown off and spring aleasy tried to make Portland harbor, but was obliged to take head about 60 miles of Gape Elizabeth, and abandon the solar with 3 fact water in the hold and rolling badly. The crew arrived at Portland 21st, AM.

Some J H Jones, from Philadelphia for Alexandria, with 150 long of coal, was muck by the ice in the Potomac, of Maryland Point, whout the 6th inst. Two or three other vessels have also been cut through and sunk.

Some Wat D Caronal, of Providence, now at Boston, buffs at Port Jefferson in 1854, has been sold to Cart, Jas Kelley, of Dennis, and parties in Providence, for \$10,004, cash. She is

...133 Steamships

HATARA, Jan 15—In port brig P M Tinker, Collies, to load for Boston.

Messusa, Dec 24—In port barks Lemuck, Friend, from Boston in hields, are same day; Siellan, Sparrow, for Boston; our in hields, are same day; Siellan, Sparrow, for Boston; our W L Burroughs, Hauson, for New York 25th. Sld 18th, brig Urana, Arvood, Philadelphia.

Nassav, 21st, assumers Vulture, Green, Wilmington, NC and old Jan 3 by St. John, Nil); 27th, Gen Whilding, Adkina, Charjeston; sohrs, Arctic (Err. Johnson, Nyork; Jame Ann, Adams; Albon, Adexes, and Mary, Aloury, Key West; 39th, Adams, Albon, Adexes, and Mary, Aloury, Key West; 39th, steamers System Wilmington, NC, Cid 26th, Steamers Little Hattle, Alpan, Charleston (and cld Jan 3 for 8th John, NB); brig Elizabeth, Diman, Foy West; 31th, staamer Little Hattle, Alpan, Charleston, Stone, St. John, NB, 31st. Blenheim, Fustice, do. Talenko, Dec 24—In port barks Mary Edam, Howes from Cadiz are 17th; Levillan, Norvill, from Valencia agr 22d; Joste Nicholas, Frank Mary; Lorin, Nyork.

Summa, Dec 30—In port bark Suriname, for Boston Jan 8; brigs Alex Nickela, Rousbrook, From do, six Gaysuns, arr 19th, for—next day; Urisoriv, for Boston Jan 5; sehas Loyalist, diag; Prince of Wales, wig.

ton Burdet Hart, Ren., Boson for wanning to the NewBURYPORT, Jan 19—Sld schr Lafe Soat, Reed, New York.

NEWBURYPORT, Jan 29—Arr brig A O Kerryman, Gray, Key West for New York; slony Gazelle, Fratt, Quincy, Mass, for New York, Gand sid A M 21st), Sid, sell, May, Mukarson, Bowton for do; I O Curtia, Acc 1914. He was a May, Mukarson, Boston for do; I O Curtia, Acc 1914. May, Mukarson, Newcomb, de for Baltimet David B Donne, Knowless, David B Donne, Knowless, David B Donne, Knowless, David B David B

THE WARDS.

TO REWARD.—LOST, A FUR CAPE, IN GOING trom Eighth avenue to Seventh avenue, on Twentleth atreet. The above reward will be paid if left at No. 172 West Nineteenth atreet with Mrs. Chambers. It is the property a poor girl.

© 5 REWARD.—LOST, ON PRIDAY MORNING, 207E.

Newfoundland Dog. The above revard will be paid to any one bringing the same to 82 Walker street.

\$10 REWARD.—LOST, ON SUNDAY, 22D INSTANT Baptist church, or in the church, a Fortenannaic, containing 42. By returning the same to the above number the roward will be given. \$10 REWARD.—LOST, ON SATURDAY, JANUARY 25.
Skaling Pond, near Eadford's refreshment seloon. Whoever
will return the same to Joseph Brodle, 715 Eighth avenue,
will reconve the above reward and the thanks of the owner.

\$25 REWARD.—LOST, ON SUNDAY LAST, A ROLL them to Petitive range store, 874 Sixth avenue. \$20 REWARD.—LOST, SATURDAY EVENING, 2187 belonistant, a single stone Diamond Ring; supposed in the Cayung Hotel, 145th street, or vicinity. The above re-ward will be paid to the finder by returning it to Durand & Co., No. 9 Maiden lane.

A SET OF TRETH MADE IN THREE HOURS; ENTIRE
A satisfaction or no pay, at 250 Sixth avenue. No acvance required. Call and see cheap teeth, plumpers, sham
fronts, artificial palates, ac; introus oxide gas always on
hand, at 250 Sixth avenue, between Fifteenth and Sixteenth A MOST WONDERFUL DISCOVERY.—TRETE SI-harded without pain, or no charge. Reautiful seed inserted at \$1 each. All operations werranted, J. JAY VILLERER, 105 Grand at., two blocks from Broadway.

COLTON DENTAL ASSOCIATION ORIGINATED THE use of the nitrous saids, and no charge is made for extracting teeth if pain is onused. Come to headquarters. The best teeth inserted. Office, 19 Cooper Institute, AT 212 BROADWAY.—THIS OLD ESTABLISHED
Jewelry, Pinte, Optical Instruments, &c. Office pays the utmost value for Diamonds, Watches,
J. H. BARRINGER, 212 Broadway, rooms 13, up stalvs.

CHRONOMETER WATCH, NEW GULES JURGENSON), open face, full chronometer patent winding and acting, being one of the few perfect time keepers on hits earth. Price \$450 in currency, being the cost price in gold. Adaraan Lockwood, Herald oddes.

I OUIS ANRIOH, 723 BROADWAT (NEW YOFS, HOtel), will give as usual thirty per cent over any man be tende for Diamonds, old. Gold and Silver, Fura, Carnel Hair Shawls, or any Article of Virtu.

BILLIARDS BILLIARDS.—FOR SALE, A SPLENDID STOCK OF new and second hand Tables, at reasonable prices, by H. GRIFFITH, 145 Fullon street.

FOR SALE-FIVE SECOND RAND BILLIARD Fables, in good order. Apply at 217 Bowers, in the TWO FIRST CLASS BILLIARD TABLES, ALSO A Billiard Saloon, designably situated in the city of Brooklyn. Will be sold at a bargain, April to J. E. LYON, is Der street.